

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

**DAVID HAVERKAMP,
TDCJ NO. 00702013,
Plaintiff,**

v.

**JOSEPH PENN, *et al.*,
Defendants,**

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Civil Action No. 2:17-CV-00018

Jury Demand

DEFENDANTS' NOTICE OF APPEAL

Defendants Rodney Burrow, Preston Johnson, Jr., John Burruss, Erin Wyrick, Jeffrey Beeson and Dee Budgewater hereby jointly appeal to the United States Court of Appeals for the Fifth Circuit from the district court's Order [Dkt. No. 212] of September 23, 2020. This is an interlocutory appeal based on the denial of Defendants' entitlement to sovereign immunity. *See* 28 U.S.C. § 1292; *see also Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982) ("The filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.").

Dated: October 8, 2020.

Respectfully Submitted.

KEN PAXTON
Attorney General of Texas

RYAN L. BANGERT
Deputy First Assistant Attorney General

DARREN L. MCCARTY
Deputy Attorney General for Civil Litigation

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/s/ Courtney Corbello
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NOTICE OF ELECTRONIC FILING

I, **COURTNEY CORBELLO**, Assistant Attorney General of Texas, do hereby certify that I have electronically submitted for filing, a true and correct copy of the above and foregoing in accordance with the Electronic Case Files System of the Southern District of Texas, on October 8, 2020.

/s/ Courtney Corbello

COURTNEY CORBELLO

Assistant Attorney General

CERTIFICATE OF SERVICE

I, **COURTNEY CORBELLO**, Assistant Attorney General of Texas, do hereby certify that a true and correct copy of the above and foregoing has been served via US Postal Service, postage prepaid, certified mail, return receipt requested, on October 9, 2020 addressed to:

David Alan Haverkamp
a/k/a Bobbie Lee Haverkamp, #702013
Stiles Unit
3060 FM 3514
Beaumont, Texas 77705

/s/ Courtney Corbello

COURTNEY CORBELLO

Assistant Attorney General